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Amendment to the claims

Please amend the listing of claims below as required by the attorney.

Listing of claims:

Claim 48 (Currently amended): An assessment system comprising:

- a. at least one a set of related predefined measurement item items used to structure observation and assessment of observable events or phenomena, said set of related predefined measurement items being selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey;
- b. means for presenting a subject or operator with said at least one item from said set of measurement item items;
- c. means for recording at least one observable event or phenomenon with said presentation of at least one measurement item and storing the recorded at least one observable event or phenomenon as a track of event data sequenced by a track of address data; and
- d. for each presented measurement item, means for associating the at least one presented measurement item to at least one portion of the event data in an index database that includes at least one field denoting the presented measurement item and at least one field denoting address data for the at least one portion of the event data associated with the presented measurement item.

Claim 54 (Currently amended): A method for systematically assessing observable events or phenomena, comprising:

- a. presenting a predefined measurement item from a set of related predefined measurement item items to a subject or operator, wherein said set of predefined measurement item is items are used to structure the observation and assessment of observable events or phenomena, said set of related predefined measurement items being selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey;

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- D2
- b. making a record of at least one observable event or phenomenon associated with said presented measurement item, said record having a track of event data sequenced by a track of address data; and
  - c. generating an index entry in a database linking the presented predefined measurement item to a portion of the event data record[;], wherein said index entry comprises a measurement item identifier field indicative of said predefined presented measurement item, and a field containing address data indicative of an address for the portion of the event data record.
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Claim 61 (Cancelled)

Claim 62 (Cancelled)

D1

Claim 63 (Currently amended): The assessment system of claim 61 ~~48~~ wherein said set of related predefined measurement items includes a pre-existing set of predefined measurement items used independently of said assessment system to observe and assess events or phenomena.

D3

Claim 64 (Currently mended): The assessment system of claim 61 ~~48~~ wherein said means for associating the at least one presented measurement item to at least one portion of the event data includes means for associating each predefined measurement item in the set of predefined measurement items to at least one portion of the event data.

D4

Claim 67 (Currently amended): The assessment system of claim 48, additionally comprising means for accepting input from the operator or subject, said input indicating that the operator or subject is ready for the presentation of another measurement item.

D5

Claim 70 (Currently amended): The assessment system of claim 48, additionally comprising means for augmenting said index database by adding information relating to said at least one portion of the event data to said database without changing the association of said at least one presented measurement item with said at least one portion of the event data.

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D5  
21 19  
Claim 21 (Currently amended): The method of claim 54, additionally comprising the step of:  
accepting input from the operator or subject indicating that the operator or subject is  
ready for the presentation of another measurement item from the set of related predefined  
measurement items;

wherein said step of generating an index entry in a database linking the measurement  
item to a portion of the record of event data automatically occurs upon said input from said  
operator or subject.

Claim 75 (Cancelled)

Claim 76 (Cancelled)

30 19  
Claim 77 (Currently amended): The method of claim 75 54 wherein said set of related predefined  
measurement items comprises a pre-existing set of predefined measurement items used  
independently of said method to observe and assess events or phenomena.

31 19  
Claim 78 (Currently amended): The method of claim 75 54, wherein said step of generating an  
index entry in a database comprises generating an index entry for each measurement item in the  
set of related predefined measurement items.

D6  
32 19  
Claim 79 (Currently amended): The method of claim 48 54, additionally comprising the step of  
creating and storing said at least one predefined measurement item before said step of presenting  
said at least one a predefined measurement item to a subject or operator.

35  
Claim 80 (Currently amended): A computer-readable medium containing instructions that cause  
a computer to index a recording of at least one observable event in an assessment system, said  
medium comprising:

a storage section for storing a digital recording of the at least one observable event, said  
digital recording having a track of event data sequenced by a track of address data;

a first code section containing instructions that cause the computer to present at least one predefined measurement item selected from a set of related predefined measurement items to a subject or operator, said at least one set of related predefined measurement item items being used to structure the observation and assessment of observable events or phenomena, and said set of related predefined measurement items being selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey; and

D6 a second code section containing instructions that cause the computer to automatically generate an index entry in a database linking the presented measurement item to at least one portion of the at least one stored observable event; wherein said index entry comprises a measurement item identifier field indicative of said presented measurement item, and an address field indicative of an address for the at least one portion of the at least one observable event stored in the track of event data.

36 35  
Claim 81 (Currently amended): The computer-readable medium of claim 80, wherein said at least one predefined measurement item comprises a set of pre-existing predefined measurement items, the set of related predefined measurement items being used independently of said assessment system to observe and assess events or phenomena.

D7 16  
Claim 85 (Currently amended): An assessment system comprising:

- a. at least one predefined measurement item used to structure assessment observable events or phenomena, said at least one predefined measurement item selected from a set of related predefined measurement items, said set of related predefined measurement items being selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey;
- b. stored event data of at least one recorded observable event, said at least one observable event occurring simultaneously with a presentation of at least one predefined measurement item, said stored event data being sequenced by a track of address data; and

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- D1
- c. an index database including a field indicative of a measurement item and a field indicative of an address in the stored event data for a portion of the stored event data associated with the presented measurement item;  
wherein an operator reviewing the at least one recorded observable event in the stored event data can create or update an entry in the index database for a measurement item.
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*Allowable Subject Matter*

8. Claims 48-60, 63-74, and 77-90 are allowed over the prior art of record.  
9. The following is an examiner's statement of reasons for allowance:

Regarding the independent claims 48, 54, 80 and 85, Applicant particularly disclose an assessment system comprising at least one predefined measurement item used to structure assessment observable events or phenomena, the at least one predefined measurement item selected from a set of related predefined measurement items, being selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey as recited in independent claims 48, 54, 80, and 85, in combination with the other claims limitations, were not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

The dependent claims, being further limiting to the independent claims, definite and enabled by the specification are also allowed.

The closest prior art Rindfuss (U. S. Pat No. 4,841,387) and Ardis et al. (U. S. Pat. No. 5,172,281) disclose a system for recording information relating to an event using video transcript. Rindfuss and Ardis taken singularly or in combination fail or suggest to teach a predefined measurement item used to structure assessment observable events or phenomena, wherein the predefined measurement item selected from a set of related predefined measurement items, being

selected from the group consisting of a questionnaire, examination plan, interview schedule, report form, set of directions or established survey. The closest prior art fail to anticipate or render Applicant's limitations above obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Other Prior Art Made of Record***

- |                        |                               |
|------------------------|-------------------------------|
| 10. Van Thong et al.   | U. S. Pat. No. 6,490,553,     |
| Weber                  | U. S. Pat. No. 6,230,121,     |
| Bennett et al.         | U. S. Pat. No. 5,949,952, and |
| Bossemeyer, Jr. et al. | U. S. Pat. No. 6,510,427.     |

***Conclusion***

11. Any response to this action should be mail to:

Commissioner of Patent and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 746-7239 (for formal communication intended for entry)

**Or:**

(703) 746-7240 ( for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand - delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington,  
VA, Fourth Floor Lobby (Receptionist Telephone No. (703) 305-3900).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on ( 703) 305-3830. The fax phone number for this group is (703) 308-5403.

*Charles Rones*  
CHARLES RONES  
PRIMARY EXAMINER

*JV*

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Jacques Veillard  
Patent Examiner TC 2100

February 19, 2004